

REMARKS

As a first matter, the drawings as filed were objected to because of the foreign language annotation of Fig. 8. The German word on Fig. 8 translates to "cross-sectional profile". However, the annotation is not necessary in Fig. 8, and a substitute drawing sheet is provided with this Amendment wherein the annotation has been removed from Fig. 8.

Claims 22, 26, and 33, and 35 were rejected under 35 U.S.C. §112, second paragraph, for the reasons set forth on page 3 of the Office Action. The claims have been variously amended to overcome the §112 rejections.

Claims 22 through 35 were rejected under 35 U.S.C. §102(b) as anticipated by Raschbichler '059, as set forth on pages 3 and 4 of the Office Action. Applicant respectfully submits that each of the independent claims as amended and presented herein patentably distinguishes over Raschbichler '059 as discussed below.

Independent claim 22 as presented herein calls for each of the stator packets to have a front end and a back end. These opposite ends have complimentary respective contour and counter-contour cross-sectional profiles such that the contours of the front end of each stator packet align with and engage in the counter-contours of the back end of an adjacent stator packet. With this arrangement, the front end of one stator packet overlaps the back end of the adjacent stator packet in the longitudinal and transverse directions so that a vertically and horizontally acting cogging relationship is established between the adjacent ends of the stator packets. Independent claims 34 and 35 have been similarly amended.

Applicant respectfully submits that the configuration of the front and back ends of the stator packets in the structure of Raschbichler '059 is not in accordance with the present independent. Referring to Figs. 2 and 4 of the reference, it can be readily seen that the front and back longitudinal ends of the stator packet ("equipment element 2") have a flat planar profile. These flat planar surfaces do not have contours or respective counter contours that engage with counter contours or contours of adjacent stator packets. Referring to Fig. 4, it can be readily seen that the longitudinal end of one packet simply abuts against the flat planar surface of an adjacent packet. No structure whatsoever is provided wherein the ends of adjacent stator packets engage and overlap so that a vertical and horizontal cogging relationship is established between the ends.

Applicant acknowledges that each of the stator packets has a different profile on one end as compared to the other end. But neither profile engages in or overlaps with a corresponding counter profile of an adjacent stator packet. The profiles may provide for the correct spacing between the teeth at the ends of the stator packets, but the profiles do not engage into and overlap each other. Each profile simply has a flat face that abuts a flat face of the opposite profile.

Accordingly, applicant respectfully submits that each of the independent claims as amended and presented herein patentably distinguishes over Raschbichler '059 and is allowable. Claims 23 through 33 only further patentably distinguish the unique combination of elements set forth in independent claim 22, and thus are allowable for at least the reasons claim 22 is allowable.

Independent claim 34 is drawn to a carrier for a railborne vehicle, with the carrier having the stator carrier and stator packet configuration as discussed above with

respect to claim 1. Similarly, independent claim 35 is drawn to the individual stator packets having the configuration as discussed above with respect to claim 1. Thus, claims 34 and 35 are allowable for essentially the reasons set forth above in the discussion of claim 1.

With the present Amendment, applicant respectfully submits that all pending claims are allowable, and that the application is in condition for allowance. Favorable action thereon is respectfully requested. The Examiner is encouraged to contact the undersigned at his convenience should he have any questions regarding this matter or require any additional information.

Respectfully submitted,
DORITY & MANNING, P.A.

By: Stephen E. Bondura
Stephen E. Bondura
Registration No.: 35,070

P.O. Box 1449
Greenville, SC 29602-1449
(864) 271-1592
fax (864) 233-7342